a first bracket support for coupling the bracket base to at least one of the first chain stay and the first seat stay; and

a second bracket support for coupling the bracket base to at least one of the first chain stay, the seat tube, and the bottom bracket shell.

66. (Twice Amended) A bracket apparatus for mounting a control device for a bicycle to a bicycle frame, wherein the frame has a bottom bracket shell, a seat tube extending upwardly relative to the bottom bracket shell, a first chain stay extending rearwardly relative to the seat tube and a first seat stay extending rearwardly relative to the seat tube above the first chain stay, wherein the apparatus comprises:

a bracket base for supporting the control device at least partially above the first chain stay;

wherein the bracket base has a substantially horizontal upper surface for substantially its entire length, wherein the upper surface is structured to receive a vertically downwardly directed force component from a portion of the control device mounted above it; and

a bracket support extending from the bracket base for coupling the bracket base to at least one of the first chain stay, the first seat stay, the seat tube, and the bottom bracket shell.

78. (Amended) A bracket apparatus for mounting a control device for a bicycle transmission to a bicycle frame, wherein the frame has a bottom bracket shell, a seat tube extending upwardly relative to the bottom bracket shell, a first chain stay extending rearwardly relative to the seat tube and a first seat stay extending rearwardly relative to the seat tube above the first chain stay, wherein the apparatus comprises:

a bracket base for supporting the control device at least partially above the first chain stay;

a first bracket support for coupling the bracket base to at least one of the first chain stay and the first seat stay;

a second bracket support for coupling the bracket base to at least one of the first chain stay, the seat tube, and the bottom bracket shell; and

wherein the bracket base has an upper surface that extends laterally in a horizontal direction beyond the first bracket support and the second bracket support.

79. (Amended) A bracket apparatus for mounting a control device for a bicycle transmission to a bicycle frame, wherein the frame has a bottom bracket shell, a seat tube extending upwardly relative to the bottom bracket shell, a first chain stay extending rearwardly relative to the seat tube and a first seat stay extending rearwardly relative to the seat tube above the first chain stay, wherein the apparatus comprises:

a bracket base for supporting the control device at least partially above the first chain stay;

wherein the bracket base includes a mounting surface extending vertically upwardly from an upper surface thereof, wherein the upper surface is structured to receive a vertically downwardly directed force component from a portion of the control device mounted above it;

a first bracket support for coupling the bracket base to at least one of the first chain stay and the first seat stay; and

a second bracket support for coupling the bracket base to at least one of the first chain stay, the seat tube, and the bottom bracket shell.

Please add the following new claims:

80. (New) A bracket apparatus for mounting a control device for a bicycle transmission to a bicycle frame, wherein the frame has a bottom bracket shell, a seat tube extending upwardly relative to the bottom bracket shell, a first chain stay extending rearwardly relative to the seat tube and a first seat stay extending rearwardly relative to the seat tube above the first chain stay, wherein the apparatus comprises:

a bracket base for supporting the control device at least partially above the first chain stay;

wherein the bracket base has an upper surface that is structured to receive a vertically downwardly directed force component from a portion of the control device mounted above it;

a first bracket support for coupling the bracket base to at least one of the first chain stay and the first seat stay; and

a second bracket support for coupling the bracket base to at least one of the first chain stay, the seat tube, and the bottom bracket shell.

81. (New) The apparatus according to claim 80 wherein the upper surface is substantially horizontal from the first bracket support to the second bracket support.

82. (New) A bracket apparatus for mounting a motor that controls a bicycle transmission to a bicycle frame, wherein the frame has a bottom bracket shell, a seat tube extending upwardly relative to the bottom bracket shell, a first chain stay extending rearwardly relative to the seat tube and a first seat stay extending rearwardly relative to the seat tube above the first chain stay, wherein the apparatus comprises:

a bracket base for supporting the motor at least partially above the first chain stay;

wherein the bracket base has an upper surface that supports the motor so as to receive a vertically downwardly directed force component from a portion of the motor mounted above it;

a first bracket support for coupling the bracket base to at least one of the first chain stay and the first seat stay; and

a second bracket support for coupling the bracket base to at least one of the first chain stay, the seat tube, and the bottom bracket shell.

REMARKS

Claims 1-79 are pending. Claims 19-65 and 76 were temporarily withdrawn from consideration. Claims 80-82 have been added, and those claims read on the elected species.

Attached hereto is a marked-up version of the changes made to the application by the current amendment. The attached page is captioned "VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES MADE."

Claim 78 was rejected under 35 USC §112 as being indefinite. Claim 78 has been amended to clarify that the bracket base has an upper surface that extends laterally in a horizontal direction beyond the first bracket support and the second bracket support.

Claims 1-16, 66, 67, 69, 77 and 79 were rejected under 35 U.S.C. §102(b) as being anticipated by Chappell (US 4,599,079). This basis for rejection is respectfully traversed.

Independent claims 1, 66 and 79 were amended to clarify that the upper surface of the bracket base is structured to receive a vertically downwardly directed force component from a portion of the control device mounted above it.